

IN THE COURT OF APPEAL
AT KISUMU
CORAM: TUNOI, J.A. (IN CHAMBERS)
CRIMINAL APPLICATION NO. NAI 33 OF 2000(KSM 62/2000)
BETWEEN
ROBERT F. EKHUYAAPPLICANT
AND
REPUBLICRESPONDENT

**(An application for extension of time to file an appeal
out of time from the Judgment of the High Court of
Kenya at Kakamega (Mr. Justice Tanui) dated 22nd
July, 1999
in
H.C.CR. APP. NO.246 OF 1998)**

R U L I N G

The application is allowed. The Notice of Appeal lodged on 13th August, 1999 is deemed to have been filed within the prescribed time. Also, Criminal Appeal No.42 of 2000 shall be deemed to have been properly filed.

Dated and delivered at Kisumu this 19th day of March, 2001.

P.K. TUNOI
JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR